



## Academic Senate

SMCCCD Home > Educational Services > Academic Senate > Minimum Qualifications, Equivalency and FSA

Overview

Work of the DAS

### Resources

Faculty Flex Form >

**Min Quals, Equivalency, FSA >**

Faculty Door Cards >

College Academic Senate Sites >

Helpful Links >

Past Presidents >

Contact Us >

## Minimum Qualifications, Equivalency and FSA

### Minimum qualifications

Minimum qualifications ("min quals" or MQs) are the criteria by which faculty (Title 5, § 53402) are able to be hired in order to teach in the state of California (Title 5, § 53405). The state sets the MQs via a process facilitated by the Academic Senate of California Community Colleges; the MQs for all disciplines are maintained by the state Disciplines List (Title 5, § 53407). Local districts may apply additional MQs as they deem necessary, but local MQs may not be lower than the state standard. All faculty who teach in any discipline, whether full-time or part-time, whether as a primary or secondary assignment, and whether credit or noncredit, must meet the MQs for their discipline prior to teaching; if faculty do not meet MQs, the units for the course that is taught are not valid (Title 5, § 53406). Not-for-credit (corporate and/or community education) instruction does not require MQs for hiring.

### Equivalency

If an applicant for a faculty position does not meet MQs as stated in Title 5 in the state and local description but possesses other qualifications that may be deemed equivalent to the Minimum Qualifications, that individual is allowed by law to apply for **Equivalency** (Title 5, § 53430). The Equivalency process is not intended to raise or lower MQs and exists to recognize alternate methods to become qualified. Each district, by law, must provide a method by which a faculty member may apply for Equivalency; this determination is made by the Academic Senate and recommended to the Board of Trustees. Upon determining Equivalency, a faculty member may teach in the discipline for which Equivalency was granted. The SMCCCD Board Policy which governs this process is Policy 3.05 and corresponding procedure 3.05.1.

### Faculty Qualifications Committee (FQC)

The Faculty Qualifications Committee (FQC) is a committee convened by the local Academic Senate pursuant to BP 3.05.1 to determine equivalency in any case where an applicant does not meet MQs. Local senates may convene these committees as needed, or they may decide to set up a standing committee that reviews these applications.

### Faculty Service Areas

Faculty Service Areas, or FSAs, are not to be confused with the minimum qualifications process or the equivalency process. Every contract (full-time) faculty member hired into the San Mateo Community College District is assigned a Faculty Service Area upon initial hire. Hourly (adjunct) faculty are not assigned an FSA. An FSA is used only in the event of a Reduction in Force (RIF) to identify an alternate service area in which the faculty member can continue to teach due to his/her initial assignment being eliminated. Any contract faculty member may apply at any time for an FSA. FSAs do not automatically provide bumping rights upon approval; bumping would only happen in the event of RIF and in accordance with the AFT contract.

### Reduction in Force (RIF)

Reduction in Force (RIF) is when layoffs occur. As full-time faculty are permanent employees, the district has the obligation to find employment for any faculty whose initial assignment has been eliminated. In times of RIF, faculty are given the opportunity to apply for additional FSAs; this may involve demonstrating Equivalency so that they may be employed in other areas.

### Frequently Asked Questions about Minimum Qualifications, Equivalency, and Faculty Service Areas

[Link to SMCCCD Board Policy 3.05.1](#) 

For more information, please refer to the following ASCCC articles and papers:

- [Untangling the Knots —Minimum Qualifications, Faculty Service Areas, Placing Courses within Disciplines and Other Fun Stuff](#)
- [Busting Equivalency Myths: An Equivalencies Chair's Perspective](#)
- [Building a Deeper Career Education Candidate Pool--Using Faculty Equivalency Processes More Effectively](#)
- [Equivalence to the Minimum Qualifications](#)  (paper 2016)
- [Qualifications for Faculty Service in the California Community Colleges](#)  (paper 2004)

## Faculty Selection Procedures

The San Mateo County Community College District (SMCCCD) faculty selection procedures are established to provide the district with qualified faculty who are experts in their subject areas and who possesses a variety of other skills including:

1. Teaching, advising and serving the needs of students;
2. Contributing to the overall effectiveness of the colleges and the district;
3. Demonstrating sensitivity to and ability to work with community college students who are from diverse academic, socioeconomic, cultural, linguistic, and ethnic background;
4. Demonstrating creativity and innovation;
5. Demonstrating Leadership;
6. Possessing effective oral and written communication skills and positive interpersonal behaviors.

In accordance with California Education Code (§87359), only a person who possesses the minimum qualifications for service or qualifications that are equivalent to the minimum qualifications, as established by the Board of Governors of the California Community Colleges, may be hired to serve as a community college faculty member. The faculty, represented by the District Academic Senate Governing Council (DASGC), has a professional responsibility in the development and implementation of policies and procedures governing the hiring process, which is to ensure the quality of its faculty peers. The policies and procedures, as well as criteria and standards by which the Board of Trustees reaches its determinations regarding faculty hiring and

qualifications, are developed by the DASGC in consultation with district administrators, the Collective Bargaining Agent, and approved by the San Mateo County Community College District (SMCCCD) Board of Trustees.

The Minimum Qualifications and Faculty Service Area (FSA) process is intended neither to raise nor to lower standards from the minimum qualifications established for a position, nor is it intended to grant waivers in lieu of required qualifications.

## Frequently Asked Questions about Minimum Qualifications, Equivalency, and Faculty Service Areas

### **1. What if an applicant has qualifications that are similar to, but not stated exactly as worded in, the state and/or local MQ?**

Answer: The MQ description is the precise language that guides qualification determination. In this case, the applicant must apply for equivalency and provide sufficient documentation that demonstrates equivalency to that MQ. Equivalency is then evaluated by the FQC before hiring proceeds. Equivalency procedures are attached to BP 3.05.1 and are made available on the Human Resources web site upon application.

### **2. Can an applicant with similar-enough MQs be interviewed prior to equivalency determination?**

Answer: No. Applicants not meeting the MQ as stated in Title 5 must complete the Equivalency process, which involves the selection committee requesting the local Academic Senate to convene an FQC.

### **3. In the case of an intern, teaching assistant, or candidate who may be completing his/her degree, and who anticipates completion prior to the hiring date, can that applicant be interviewed, not yet hired, prior to obtaining his/her qualifications (in anticipation of hiring once qualifications are obtained)?**

Answer: Yes. The candidate may be interviewed, but must provide evidence of satisfying the MQs prior to the hiring date.

### **4. Does the Human Resources department determine MQs?**

Answer: No. The Human Resources reviews each application to determine if it is complete. It is the responsibility of the Selection Committee to review each application to determine if the candidate meets the MQs exactly as stated in Title 5. If the applicant does not meet the MQs as stated in Title 5 and has not applied for equivalency, the selection committee will not consider the application as submitted.

### **5. Is it necessary to convene an FQC in the case of hiring an adjunct (not full-time) who applies for equivalency? Can the selection committee determine equivalency alone?**

*Is it necessary:* Yes. All faculty must meet MQs and Equivalency is determined by the FQC.

*Can the selection committee determine:* No. The selection committee may determine MQs and interview candidates who meet the MQs exactly as stated in Title 5. If the candidate does not meet MQs and has requested equivalency, the FQC is convened.

### **6. What if a faculty member is granted equivalency to teach at one college, when another college might not have granted that equivalency?**

Answer: Equivalency is determined by district, not college. An FQC is composed of one member representing each college precisely for the reason implied in the question. The task of each member is to determine equivalency that would be appropriate for teaching at all three colleges.

### **7. Can a selection committee or hiring manager contest the MQs or require standards either higher or lower than the MQs?**

Answer: No. It is never possible to lower the MQs. State MQs are only changed via a process led by the statewide Academic Senate. Local MQs may be higher than the statewide qualifications, but may only be changed by the Board Policy and Procedure participatory governance process.

### **8. What if an employee has a non-certificated (non-faculty) position in the district and wishes to teach as a part-time assignment?**

Answer: If any non-certificated (non-faculty) employee meets MQs to teach in a discipline, s/he may be interviewed pursuant to the SMCCCD Faculty Selection Guidelines, and may be assigned accordingly. Upon assignment, the individual enjoys all rights and privileges of any faculty member throughout the SMCCCD. Non-certificated employees are still subject to the regulations and contractual obligations for classified employees.

### **9. Do all adjunct faculty need to be interviewed prior to assignment, and who interviews them?**

Answer: Pursuant to the Faculty Selection Guidelines adopted by SMCCCD in 2014, all adjuncts must be interviewed by a committee including a minimum of one faculty member.

### **10. Can a dean determine MQs or Equivalency in order to assign a section to an existing employee?**

Answer: If a faculty member meets MQs for a discipline outside of their regular assignment, a dean may assign him/her accordingly without consulting the Academic Senate or convening an FQC (Example: An ESL faculty who has MQs to teach English can be assigned an English class without the English department having to interview him/her.) Hiring a new person (full-time or adjunct) happens in consultation with faculty (see answer to previous question). If the faculty does not meet MQs as stated in Title 5, the situation must be referred to the FQC.

### **11. Can an administrator who meets MQs be assigned, or assign him/herself, to teach a section as faculty in that discipline?**

Answer: Administrators, just like all other employees, must go through the hiring procedures in order to receive a teaching assignment according to existing HR policy. If they do not meet MQs, they must go through the Equivalency process.

### **12. Does an employee who has a non-certificated (non-faculty) primary assignment in the district need to apply for an FSA in order to teach as a part-time assignment?**

Answer: No. FSA is only assigned to contract (full-time) hires and does not apply to hourly assignments. Refer to question #8.

### **13. Who can apply for an additional FSA? Does a faculty member need to apply for an additional FSA in order to teach in another discipline outside his/her faculty assignment?**

*Who can apply:* Any contract (full-time) faculty member can apply for an additional FSA by following the process outlined in BP 3.15.2 (revised to 3.05.1).

*Does a faculty member need an additional FSA to teach in another discipline:* No. FSA is only used in times of RIF. If the faculty member wishes merely to teach in a discipline different from his/her primary discipline, that faculty member must meet MQs. If s/he meets MQs, s/he is already teaching faculty and so may be assigned to teach in that discipline according to the dean's and department's practices of filling available sections. If the faculty does not meet MQs, s/he may apply for Equivalency, thus triggering an FQC to be convened by the Academic Senate. The process for applying for Equivalency is outlined in BP 3.15.2 (revised to 3.05.1).

### **14. If someone applies for an FSA in another field, could that person then bump current faculty in that field?**

Answer: Outside of a RIF situation, no. A faculty member can apply for as many FSAs as s/he wishes, but FSA is only applied in times of RIF. The AFT contract should be consulted for the practice of seniority rights and bumping during RIF.

## San Mateo County CCD

SMCCCD are a three College District located between San Francisco and the Silicon Valley. Our Colleges serve more than 40,000 students each year and offer the first two years of instruction in a wide variety of transfer programs as well as more than 90 vocational-technical programs.

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